

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL CALLAHAN, et al.,

Plaintiffs,

v.

TD AMERITRADE, INC., et al.,

Defendants.

Case No. 1:23-cv-129

Hon. Hala Y. Jarbou

ORDER

In accordance with the opinion entered this date:

IT IS ORDERED that the R&R (ECF No. 15) is **APPROVED** and **ADOPTED IN PART** as the opinion of the Court. The Court declines to rule on the issue of whether it may impose sanctions for conduct related to the future arbitration. In all other respects, the Court adopts the R&R and its recommendation to stay the case pending arbitration.

IT IS FURTHER ORDERED that Defendant TD Ameritrade, Inc.'s motion to compel arbitration (ECF No. 11) is **GRANTED**.

IT IS FURTHER ORDERED that all proceedings in this case are hereby **STAYED** pending arbitration.

IT IS FURTHER ORDERED that the parties shall confer and agree on an arbitrator who will apply FINRA's Code of Arbitration, if possible. The parties shall notify the Court when they have selected an arbitrator. If the parties fail to reach such agreement within 30 days of the date of this order, either party may apply to the Court for appointment of a proposed arbitrator(s). In the event the parties fail to agree on an arbitrator, and no application is presented to the Court for

appointment within 45 days of the date of this order, the Court will dismiss this matter without prejudice.

Dated: August 4, 2023

/s/Hala Y. Jarbou
HALA Y. JARBOU
CHIEF UNITED STATES DISTRICT JUDGE